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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,203	11/04/2003	Eric Restani	790_020	5171

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PO BOX 7068  
SYRACUSE, NY 13261-7068

EXAMINER
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FISCHMANN, BRYAN R

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/701,203

Applicant(s)

RESTANI, ERIC

Examiner

Bryan Fischmann

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11-04-03</u> . | 6) <input type="checkbox"/> Other: _____  |

***Specification***

1. The abstract of the disclosure is objected to because of the following:

A) The abstract is not in a single paragraph format (see MPEP 608.01(b)).

Note that instead, the Applicant appears to have copied claim 1. Note that the abstract is to be a concise explanation of the disclosed invention written for a "lay person" and not an identical copy of a claim. See Section 608 of the MPEP.

2. The specification is objected to because of the following:

A) Note that most "titles" of each section of the specification are not in accordance with Section 608.01 of the MPEP. For example, page 1 contains the title "Prior Art". Per Section 608.01 of the MPEP, it is believed this section should be labeled "Background of the Invention". If Applicant wishes to retain the "section heading" of "prior art" recommend this section heading be within the "Background of the Invention" section.

Request Applicant verify all titles of each section of the specification is per Section 608.01 of the MPEP.

B) The following recited phrases are unclear, awkwardly worded, and/or grammatically incorrect:

1) The meaning of the term "characteristic" in the recitation of "characteristic reinforcement" on line 18 of page 6 is considered unclear.

***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference signs not mentioned in the description: 33 and 34. Correction is required.

***Claim Objections***

4. Claims 1-11 is objected to because of the following:

Note: The claims are considered to be replete with objectionable matter.

Therefore, a comprehensive listing of all objectionable matter cannot be guaranteed.

Applicant is advised to review all claims for unclear matter.

A) The latter portion of claim 1 recites "...on its side profiles, so that, level with said notches, the injected core passes through it...".

When read in context, the above recitation is considered to be awkwardly worded and unclear.

Also, it is considered somewhat unclear as to what is being referred to by the recitation of "it" in the above recitation".

Additionally, the words "its side profiles" in the above recitation implies that the term "side profiles" has already been "introduced". This is not believed to be the case.

Further, the words "the injected core passes through it" implies that the Applicant is referring to a "molding process". This has not been set forth in the claims.

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B) To improve wording, since antecedent basis has not been established, it is believed that the recitation of "the volume" in line 2 of claims 2 and 3 should instead be "a volume".

See also the third to last line of claim 1.

C) Claims 5-7 recites "lateral reinforcing element" in the last line of each claim. Note that claims 5 and 6 are dependant upon claim 1. Note claim 1 recites "lateral reinforcing elements (13, 14). Therefore, Applicant should clarify which "lateral reinforcing element", 13 or 14, or both, is being referred to in claims 5 and 6.

D) The term "immobilized" recited on line 2 of claim 6, when read in context, is considered somewhat awkward and unclear.

See also a similar objection in claim 11.

E) The phrase "at the level of " recited on line 3 of claim 8, when read in context, is considered somewhat awkward and unclear.

F) The term "based" recited on line 2 of claims 9 and 10, when read in context, is considered somewhat awkward and unclear. Perhaps a term such as "made of" would be more appropriate.

G) Line 4 of claim 11 recites "lest". It is believed that this word was intended to be the word "least".

H) The recitation of "the edges of the board" on lines 3 and 4 of claim 11 lacks antecedent basis.

I) The phrase "with a view" recited on line 7 of claim 11, when read in context, is considered somewhat awkward and unclear.

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J) The phrase "made for this purpose" recited on line 9 of claim 11, when read in context, is considered somewhat awkward and unclear.

K) The recitation of "the various constituent elements of the board" on lines 10 and 11 of claim 11 lacks antecedent basis.

L) The phrase "that establish communication" recited on line 12 of claim 11, when read in context, is considered somewhat awkward and unclear.

M) The recitation of "the volumes defined above" on lines 12 and 13 of claim 11 lacks antecedent basis.

N) The recitation of "the formation of the core" on the last line of claim 11 lacks antecedent basis.

#### ***Allowable Subject Matter***

5. Claims 1 and 11 would be allowable if rewritten or amended to overcome the claim objection set forth in this Office action.

6. Claims 2-10 would be allowable if rewritten to overcome the claim objection set forth in this Office Action and to include all of the limitations of the base claim and any intervening claims.

#### ***Reasons for Allowance***

7. The following is an Examiner's statement of reasons for allowance of independent claims 1 and 6:

Claim 1 recites the limitation (as paraphrased due to claim objections) of a gliding board, including; an injected polyurethane foam core; lateral reinforcing elements, two

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outer layers, at least one internal reinforcement, wherein the internal reinforcement rests on recesses which are provided in each of the lateral reinforcing elements, said internal reinforcement having notches on its side so that, the injected core passes through it during molding in order to at least partially occupy a volume defined between the internal reinforcement and at least one of the two outer layers. This limitation, in combination with the other limitations of claim 1, were not found in the prior art.

Claim 6 contains a similar limitation in "method format".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

8. This application is in condition for allowance except for the following formal matters:

The abstract, specification, drawing and claim objections set forth in this Office Action.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

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9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Recher, et al, Cazaillon, et al, Pascal, et al, Perenon, et al, Rohrmoser, Deborde, et al, Baudin, et al, Colley, et al, FR 2579477, EP 558009, JP 6-154385 and WO 2004/0478286 – teach processes of forming a gliding board

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Bryan Fischmann whose telephone number is (571) 272-6694. The examiner can normally be reached on Monday through Friday from 8:30 to 5:00.

If attempts to reach the Examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis, can be reached on (571) 272-6914. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 6-1-5  
BRYAN FISCHMANN  
PRIMARY EXAMINER